UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse   40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 15-1672 | Caption [use short title]

Motion for: Leave to File Instanter Amici Curiae Brief

in Opposition to the Emergency Motion

to Stay Injunction Pending Appeal

United States et al.,
Plaintiffs-Appellees
v.
American Express Co. et al.,
Defendants-Appellants

Set forth below precise, complete statement of relief sought:

Movants seek leave to file instanter an amicus brief

in opposition to the Emergency Motion to Stay

Injunction Pending Appeal of American Express Co.

and in support of the United States and affirmance

of the district court's order below denying a stay

pending appeal.

MOVING PARTY: 89 Merchants and 4 Trade Associations   **OPPOSING PARTY:** American Express Co.

☐ Plaintiff   ☐ Defendant
☐ Appellant/Petitioner   ☐ Appellee/Respondent

MOVING ATTORNEY: Paul E. Slater   **OPPOSING ATTORNEY**: Evan R. Chesler

[name of attorney, with firm, address, phone number and e-mail]

Sperling & Slater, P.C.

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Cravath, Swaine & Moore LLP

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212-474-1000, echesler@cravath.com

Court-Judge/Agency appealed from: Hon. Nicholas G. Garaufis, U.S. District Court for the Eastern District of New York

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):
☑ Yes ☐ No (explain): _____

Opposing counsel's position on motion:
☑ Unopposed ☐ Opposed ☐ Don't Know
Does opposing counsel intend to file a response:
☐ Yes ☑ No ☐ Don't Know

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:
Has request for relief been made below?   ☐ Yes ☐ No
Has this relief been previously sought in this Court?   ☐ Yes ☐ No
Requested return date and explanation of emergency: _____

Is oral argument on motion requested?   ☐ Yes ☑ No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?   ☐ Yes ☑ No If yes, enter date: _____

Signature of Moving Attorney:
/s/ Paul E. Slater   **Date:** June 5, 2015   Service by: ☐ CM/ECF ☑ Other [Attach proof of service]

Form T-1080 (rev. 12-13)